

# HOUSE BILL No. 1227

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-1-8-17.

**Synopsis:** User fees for public safety runs. Authorizes the fiscal body of a municipality to impose a user fee or service charge for an emergency response or other service run: (1) that is made by a municipal law enforcement department, municipal fire department, or municipal ambulance service or emergency medical service to a dwelling, business, or other structure that is located in unincorporated territory of a county; and (2) that is not required by, governed by, or subject to a contract or agreement under which the municipality is entitled to compensation by another political subdivision or any other entity or individuals for the emergency response or service run. Provides that the amount of the user fee or service charge may not exceed an amount reasonably related to the reasonable and just cost of conducting the emergency response or service run. Specifies that a municipality may collect any such user fee or service charge that is unpaid in the same manner as delinquent taxes are collected or by bringing a civil action.

**Effective:** July 1, 2009.

**Hinkle**

January 12, 2009, read first time and referred to Committee on Government and Regulatory Reform.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## HOUSE BILL No. 1227

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 36-1-8-17 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2009]: **Sec. 17. (a) The fiscal body of a municipality may adopt**  
4 **an ordinance to impose a user fee or service charge for an**  
5 **emergency response or other service run that:**

6           **(1) is made by a municipal law enforcement department,**  
7 **municipal fire department, or municipal ambulance service or**  
8 **emergency medical service to a dwelling, business, or other**  
9 **structure that is located in unincorporated territory of a**  
10 **county;**

11           **(2) is not required by, governed by, or subject to a contract or**  
12 **agreement under which the municipality:**

13               **(A) may conduct the emergency response or service run;**  
14 **and**

15               **(B) is entitled to compensation by another political**  
16 **subdivision or any other entity or individuals; and**

17           **(3) is not provided by the municipality as part of the**



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- 1           municipality's participation in a fire territory or fire district.  
2           (b) A user fee or service charge under this section may be  
3 imposed only on the owner of the dwelling, business, or other  
4 structure to which the emergency response or other service run is  
5 made.  
6           (c) The amount of a user fee or service charge imposed under  
7 this section may not exceed an amount reasonably related to  
8 reasonable and just rates and charges for conducting the  
9 emergency response or service run.  
10          (d) A municipality may collect any unpaid user fee or service  
11 charge under this section:  
12           (1) in the same manner as delinquent fees and penalties are  
13 collected and enforced under IC 36-1-6-2; or  
14           (2) by bringing a civil action to collect the unpaid user fee or  
15 service charge.  
16          (e) A user fee or service charge collected by a municipality  
17 under this section is considered miscellaneous revenue of the  
18 municipality.

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